

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Plaintiff,

- against -

PLATFORM SOLUTIONS, INC.,

Defendant.

**DEFENDANT AND COUNTER-
CLAIMANT PLATFORM
SOLUTIONS, INC.'S
PROPOSAL OF DR. JOSH FISHER
AND DR. JOHN WAKERLY
FOR THE POSITION OF
TECHNICAL ADVISOR**

06 Civ. 13565 (LAK)

Defendant and counterclaimant Platform Solutions, Inc. ("PSI") submits this proposal in support of Dr. Joseph "Josh" Fisher and Dr. John Wakerly as candidates for the position of technical advisor to the Court. Dr. Fisher and Dr. Wakerly have superlative qualifications,¹ and neither candidate is even remotely conflicted—neither Dr. Fisher nor Dr. Wakerly had ever heard of PSI before. Although PSI attempted to reach agreement with IBM on two or more candidates, as this Court indicated it strongly preferred, IBM made that impossible: (1) the only candidates proposed by IBM each had extensive ties to IBM, and (2) IBM took the unreasonable position that any ties to any company it considers to be a competitor, such as Hewlett Packard ("HP"), Intel and Microsoft (all non-parties to this action), creates a conflict. The Court should appoint Dr. Fisher or Dr. Wakerly—or any other adequately qualified and non-conflicted individual of the Court's choosing—as technical advisor.

The remainder of this proposal briefly discusses why PSI's proposed candidates (Dr. Fisher and Dr. Wakerly) should be appointed and why IBM's proposed candidates (Dr. Saltzer and Dr. Arvind) have obvious conflicts rendering them unsuitable.

¹ Dr. Fisher's and Dr. Wakerly's CVs are attached as Exhibits 1 and 2, respectively.

1. DR. JOSH FISHER (PSI'S CANDIDATE #1)

Dr. Josh Fisher ("Fisher") received his masters degree and his Ph.D in computer science from the Courant Institute of New York University in 1976 and 1979, respectively. From 1979 to 1984, Dr. Fisher served as a professor of computer science at Yale University. In 1984, Dr. Fisher started a computer company called Multiflow Computer, Inc., which he ran for six years. Finally, from 1990 through 2006, Dr. Fisher served as the Director and as Senior Fellow at Hewlett Packard's High Performance Computing Laboratory in Cambridge, Massachusetts. Dr. Fisher retired in 2006.

Dr. Fisher is a named inventor on 6 issued U.S. patents relating to mainframe computer architecture and emulation, the principal technological areas at issue in this lawsuit. He is also the recipient of three National Science Foundation grants for the advancement of computer architecture, and has authored dozens of books and articles in the field. In 2003 Dr. Fisher was honored with the IEEE/ACM Eckert-Mauchly award for "seminal contributions in computer architecture." This award is essentially the highest attainable award in the field of computer architecture.

IBM's sole objection to Dr. Fisher is that Dr. Fisher previously worked for HP.² HP is not a party to this lawsuit. HP's involvement in this action is as follows: (1) HP, pursuant to a patent license with IBM that covers all existing IBM patents (including the 10 patents at issue in this lawsuit), supplied the hardware that is in several of PSI's computer systems³; (2) prior to the filing of this lawsuit, HP considered acquiring PSI. There is no good-faith basis for objecting to Dr. Fisher based on his time at HP's High Performance Computing Laboratory. Indeed, when

² See e-mail from IBM counsel Rick Werder to PSI counsel Tibor Nagy dated 4/18/2008, attached hereto as Exhibit 3.

³ The other supplier of the hardware in PSI's machines is NEC Corporation, which also has a patent license with IBM that covers all 10 patents at issue in this lawsuit.

counsel for PSI spoke with Dr. Fisher to ascertain whether Dr. Fisher had any conflicts, Dr. Fisher stated that he had never even heard of PSI.

Dr. Fisher is an excellent choice for the position of technical advisor. IBM's objection to Dr. Fisher is frivolous and should be disregarded. If the Court finds Dr. Fisher suitable after speaking with him, the Court should appoint Dr. Fisher to the position. PSI will also gladly accept the appointment of any other qualified, non-conflicted candidate selected by the Court.

2. DR. JOHN WAKERLY (PSI'S CANDIDATE #2)

Dr. John Wakerly received his masters degree and his Ph.D from Stanford University in 1971 and 1973, respectively. Dr. Wakerly is a named inventor on 17 issued U.S. patents in the field of computer architecture. Dr. Wakerly is also the author of dozens of books and articles in the field, including the textbooks *Microcomputer Architecture and Programming* (1981) and *Digital Design Principles and Practices* (4th ed. 2006).

Dr. Wakerly has been teaching computer architecture as a lecturer and part-time professor at Stanford University for over 30 years. Dr. Wakerly also has extensive experience as a computer architect in the private sector, including running his own computer company for 5 years and culminating with his serving as Chief Technology Officer of Cisco Systems for 7 years. Dr. Wakerly has served as both a consulting and testifying expert in patent cases before.

Dr. Wakerly is another excellent candidate for the position of technical advisor. On April 22, 2008, IBM asked PSI to ascertain whether Dr. Wakerly had any "current or prior relationship with HP, Intel or Microsoft."⁴ PSI informed IBM that, while PSI considers relationships with these non-party companies to be irrelevant, Dr. Wakerly has no relationships with any of these entities.⁵ Shortly thereafter, IBM told PSI that it believes Dr. Wakerly is not sufficiently

⁴ E-mail from IBM counsel Ed DeFranco to PSI counsel Tibor Nagy, dated 4/22/2008, attached hereto as Exhibit 4.

⁵ E-mail from PSI counsel Tibor Nagy to IBM counsel Ed DeFranco, dated 4/24/2008, attached hereto as Exhibit 5.

qualified for the position of technical advisor to the Court.⁶ That objection is frivolous: Dr. Wakerly's qualifications make him extensively qualified for the position. Indeed, although they are conflicted and should not even be considered for the position themselves, PSI invites the Court to ask IBM's own proposed candidates, Dr. Saltzer and Dr. Arvind, whether they believe Dr. Wakerly is sufficiently qualified.

If the Court finds Dr. Wakerly suitable after speaking with him, the Court should appoint Dr. Wakerly to the position. PSI will also gladly accept the appointment of any other qualified, non-conflicted candidate selected by the Court.

3. DR. JEROME SALTZER (IBM'S CANDIDATE #1)

PSI does not deny that Dr. Saltzer has sufficient qualifications to serve as technical advisor.⁷ However, Dr. Saltzer's extensive history with IBM creates the appearance of and a strong potential for bias, such that he is not an appropriate candidate and should not be considered by the Court. Specifically, based on IBM's own admissions,⁸ Dr. Saltzer's own resume, and counsel for PSI's telephone conversation with Dr. Saltzer,⁹ Dr. Saltzer has had the following relationships with IBM:

- From 1995-2000, he served as a consulting expert for Cravath Swaine & Moore in patent cases on behalf of IBM.
- From 1990 until his retirement from MIT in 1995, the hardware that was used in his research at MIT was provided by a grant from IBM.
- He worked as a consultant for IBM for 15 years (1970-1984), during which time he worked together "extensively" with IBM engineers.
- From 1984-1989, he served as the Technical Director of a project at MIT funded by IBM.

⁶ See e-mail from IBM counsel Ed DeFranco to PSI counsel Tibor Nagy dated 4/27/2008, attached hereto as Exhibit 6.

⁷ A copy of Dr. Saltzer's resume is attached hereto as Exhibit 7.

⁸ See e-mail from IBM counsel Ed DeFranco to PSI counsel Tibor Nagy dated 4/22/2008, attached hereto as Exhibit 8.

⁹ By agreement between the parties, counsel for PSI spoke briefly by phone with both Dr. Saltzer and Dr. Arvind on 4/24/2008. Counsel for PSI transmitted a copy of his notes to counsel for IBM that same day via e-mail. A copy of that e-mail is attached hereto as Exhibit 9.

- He has served as a reviewer for both the *IBM Systems Journal* and the *IBM Journal of Research & Development*.

Given this extensive prior history with IBM, Dr. Saltzer is not an appropriate candidate to serve as a neutral technical advisor to the Court.

4. DR. ARVIND (IBM'S CANDIDATE #2)

PSI does not deny that Dr. Arvind has sufficient qualifications to serve as technical advisor in this matter.¹⁰ However, Dr. Arvind's current and prior relationships with IBM create the appearance of and a strong potential for bias, such that he is not an appropriate candidate and should not be considered by the Court. Specifically, on April 24, 2008, in response to PSI's request for disclosure of any relationship between Dr. Arvind and IBM, IBM stated only that (1) IBM was "sponsoring a joint research program by two of his students" and (2) Dr. Arvind "had consulted for IBM more than 20 years ago."¹¹ That disclosure, however, omitted several material relationships between Dr. Arvind and IBM:

- In Dr. Arvind's own words, IBM is currently a "significant customer" of Bluespec, Dr. Arvind's start-up computer company.
- Again in his own words, Dr. Arvind has a "very close research relationship" with IBM. Currently, for example, IBM is funding his research involving the modeling of Power-PCs on Field Programmable Gate Arrays. Dr. Arvind has "regular research meetings by phone" with IBM in connection with this project.
- IBM is also funding the RAMP project which Dr. Arvind started. Specifically, IBM has made financial contributions to RAMP "within the last 6 months."
- Some time in the 1990s, IBM hired Dr. Arvind as "an expert in a patent case." He prepared an expert report for IBM involving "several patents."
- Since 1980, Dr. Arvind has worked on several other projects at MIT that were funded by IBM.

¹⁰ A copy of Dr. Arvind's resume is attached hereto as Exhibit 10.

¹¹ E-mail from IBM counsel Ed DeFranco to PSI counsel Tibor Nagy dated 4/24/2008, attached hereto as Exhibit 11.

Counsel for PSI was able to obtain the above information in a 10-minute telephone conversation with Dr. Arvind.¹² The above information makes clear that Dr. Arvind has too extensive a relationship with IBM to be considered for what is supposed to be a neutral role in this matter.

5. ADDITIONAL CANDIDATES

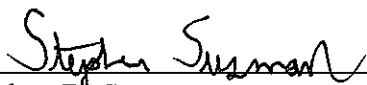
On April 27, 2008, IBM informed PSI that it now intends to propose at least one additional candidate. While PSI will advise the Court if it believes any additional candidates are qualified and non-conflicted, it would be unfair to allow IBM to make unreasonable objections to PSI's candidates in an effort to avoid having the Court appoint anyone proposed by PSI. IBM's objections to Dr. Fisher (that he once worked at HP) and Dr. Wakerly (that he is not qualified) are frivolous. The Court should contact these two candidates and appoint whichever one it finds more suitable.

CONCLUSION

PSI has no objection to any adequately qualified, non-conflicted candidate this Court sees fit to appoint as technical advisor in this case. Although PSI tried to reach agreement with IBM on at least two candidates for this Court's consideration, IBM made any such agreement impossible: (1) it disclosed only two candidates, both of whom have extensive ties to IBM; and (2) it made frivolous objections to PSI's proposed candidates. The Court should appoint Dr. Fisher, Dr. Wakerly, or any other suitable candidate selected by the Court as technical advisor.

Date: April 28, 2008.

SUSMAN GODFREY LLP


 Stephen D. Susman
Attorney for PSI

¹² See Exhibit 9.

Certificate of Service

I hereby certify that all counsel of record were duly served with the foregoing filing via e-mail in accordance with the parties' agreement on service.

Date: April 28, 2008

SUSMAN GODFREY LLP



By: _____

Tibor L. Nagy
654 Madison Avenue, 5th Floor
New York, NY 10065
(212) 336-8330
tnagy@susmangodfrey.com

Attorney for PSI

EXHIBIT 1

Joseph A. (Josh) Fisher
Computer Scientist

9 Island Ave. #1401
Miami Beach, FL 33139
+1 786 897-5000 (voice)
+1 786 206-1359 (fax)
josh@CasaDeFisher.com

Education:

- PhD (Computer Science) 1979, Courant Institute of New York University.
- MS (Computer Science) 1976, Courant Institute.
- AB (Mathematics, with honors) 1968, New York University.

Experience:

Hewlett-Packard Company, 1990-2006 (retired)

- Senior Fellow, Hewlett-Packard (Highest technical rank, there were five, and are now four Senior Fellows in the corporation), 2002 (when title instituted) - 2006.
- Hewlett-Packard Fellow (Fellow title instituted at HP in 2000, but at that rank for several years before).
- Director (and Founder), Hewlett-Packard Laboratories, Cambridge, MA, 1994-2003. Then Director of HP Labs High Performance Computing Laboratory.
- Member of Hewlett-Packard's Technology Council, 2001-2.

Multiflow Computer, Inc, 1984-1990

- Founder (with 2 others) and President 1984.
- Executive Vice President 1985-90, additionally Chief Technical Officer, 1989-90.
- Member of the Board of Directors, 1984-90.

Yale University, 1979-1984

- Associate Professor of Computer Science, 1983-84.
- Assistant Professor of Computer Science, 1979-83.

Honors:

- IEEE/ACM Eckert-Mauchly award, 2003, for seminal contributions in computer architecture (highest award in computer architecture).

- Eli Whitney Connecticut Entrepreneur of the Year, 1987.
- Presidential Young Investigator Award, National Science Foundation, 1984.
- 1984 Paper in PLDI (see below) selected as one of most influential in PLDI history.
- 1983 Paper in ISCA (see below) selected as one of most influential in ISCA history.

Areas of Greatest Expertise:

- Computer architecture
- Compilers
- Architectural emulation
- Embedded computing

(Representative) Professional Activities:

- Standing committee member for Embedded and Hybrid Systems, Science and Engineering Research Council, Singapore, 2002-2006.
- Editorial Board, Computer Architecture Letters (since inception).
- ACM Transactions On Computer Systems (TOCS), Associate Editor, 1993-1995.
- Journal of Parallel Processing and Programming Languages, Member of the Editorial Board, since 1993.
- North American General Co-Chair, ACM-IEEE International Symposium On Computer Architecture, 1995.
- ACM-IEEE Micro (International Conference), Program Chairman, 2001 and 1982. Program Committee, frequently.
- National Science Foundation, Division of Computer and Computation Research, Member Advisory Committee, 1987-89.
- International Journal of High Speed Computing, Member of the Editorial Board, since 1989.
- National Science Foundation, Review panelist, 1983, 1985.
- ACM National Lecturer, 1981-82.
- ACM Special Interest Group on Microprogramming, Board member, 1982-84.

- Technical Committee on Microprogramming, IEEE Computer Society, Board member, 1981-2
- Program committee, many conferences.
- Organized and participated in many panels.
- Many Ph.D. committees, including those at Yale, MIT, Carnegie-Mellon.

Books:

- Embedded Computing: A VLIW approach to architecture, compilers and tools. With Paolo Faraboschi and Cliff Young, Elsevier/Morgan-Kaufmann, 2004.
- Instruction-level Parallelism, A Special Issue of The Journal of Supercomputing, John Wiley, January 1993 (editor, with Bob Rau). Also published as a book by Kluwer Academic Publishers, 1993.

Journal Publications:

- Instruction Scheduling for Instruction-Level Parallel Processors, with Paolo Faraboschi and Cliff Young. Proc. IEEE, 89(11):1638-1659 (Nov 2001)
- P. Faraboschi, G. Desoli, J.A. Fisher: VLIW Architectures for DSP and Multimedia Applications -- The Latest Word in Digital and Media Processing, IEEE Signal Processing, March 1998
- Walk-Time Techniques: Catalyst for Architectural Change. Computer. V30, number 9, September, 1997.
- Instruction-Level Parallel Processing: History, Overview and Perspective. With B. Ramakrishna Rau. The Journal of Supercomputing, John Wiley, January 1993.
- Instruction-level parallelism. With B. Ramakrishna Rau. Science, 253(5025), pp. 1233-1242, September 1991. A slightly longer and more detailed version is an HP Labs Technical Report, HPL-92-02.
- Measuring the parallelism available for long instruction word architectures. With Alexandru Nicolau. IEEE Transactions on Computers. July 1984
- The VLIW machine: A multiprocessor for compiling scientific code. IEEE COMPUTER, pages 45-53. July 1984
- Microcode compaction: Extending the boundaries. With D. Landskov and B. D. Shriver. International Journal of Computer and Information Sciences, 13 (1): 1-21, 1984.

- Trace scheduling: A technique for global microcode compaction. IEEE Transactions on Computers C-30(7):478-490, July 1981.
- A simpler counterexample to the reconstruction conjecture for denumerable graphs, with R. L. Graham and F. Harary. Journal of Combinatorial Theory 12(B): 1971.
- A counterexample to the countable version of a conjecture of Ulam. Journal of Combinatorial Theory 7(4): 364-365, 1969.

Refereed Conference Papers:

- DELI: A New Run-time Control Point. With Giuseppe Desoli, Nikolay Mateev, Evelyn Duesterwald, and Paolo Faraboschi. 35th Annual IEEE/ACM International Symposium on Microarchitecture (MICRO-35) November, 2002.
- Lx: A technology platform for customizable VLIW embedded processing. With Paolo Faraboschi, Geoffrey Brown, Giuseppe Desoli, and Fred (Mark Owen) Homewood. In Proceedings of the 27th Annual International Symposium on Computer Architecture, June 2000.
- Customized Instruction-sets for Embedded Processors. 36th Design Automation Conference, New Orleans, June 1999.
- Custom-Fit Processors: Letting Applications Define Architectures. With Paolo Faraboschi and Giuseppe Desoli. In The 29th Annual International Symposium on Microarchitecture, pages 324-335. ACM and IEEE Computer Society, December 1996.
- Predicting conditional branch directions from previous runs of a program. With Stefan M. Freudenberger. Proceedings of the Fifth International Conference on Architectural Support for Programming Languages and Operating Systems (Boston, Mass., 1992), 85-95. Also published at HP Labs Technical Report HPL-92-98
- Software techniques and tradeoffs in instruction-level parallelism. In Proceedings of the Workshop on Advanced Compilation Techniques for Novel Machine Architectures, National Science Foundation of the United States and National Council for Research and Development of Israel, June 1991. Refereed and edited monograph of invited participants to be published by Springer-Verlag.
- Supercomputing using VLIW architectures: Executing many RISC operations every clock tick. Workshop: Supercomputing Tools for Science and Engineering. Pisa, Italy, December, 1989.
- Parallel processing: A smart compiler and a dumb machine, with John R. Ellis, John C. Ruttenberg and Alexandru Nicolau. In Proceedings of the SIGPLAN '84: Symposium on Compiler Construction, pages 37-47. ACM, June 1984.

- VLIW machines: Multiprocessors we can actually program, with John J. O'Donnell. In Spring Compcon '84 pages 299-305. IEEE Computer Society, February 1984. Also available as Yale Technical Report 298, Yale University, Department of Computer Science, January 1984.
- Very long instruction word architectures and the ELI-512. In The 10th Annual International Symposium on Computer Architecture, pages 140-150. IEEE Computer Society and ACM, June 1983. Also available as Yale Technical Report 253, Yale University, Department of Computer Science, December 1982, Revised 1983.
- Lifting the restriction of aggregate data motion in parallel processing, with John Rutenberg. In IEEE International Workshop on Computer Systems Organization, pages 211-215. IEEE Computer Society, March 1983.
- Microcode Compaction: Looking Backward and Looking Forward. With Landskov, D. and Shriver, B.D. 1981 National Computer Conference, AFIPS, 1981, pp. 95-102.
- Using an oracle to measure parallelism in single instruction stream programs. In The 14th Annual Microprogramming Workshop, pages 171-182. ACM and IEEE Computer Society, October 1981.
- 2n-way jump microinstruction hardware and an effective instruction binding method. In The 13th Annual Microprogramming Workshop, pages 64-75. ACM and IEEE Computer Society, November 1980.

(Representative) Invited Conference and Other Talks:

- Keynote Address at CASES, 2004.
- Eckert-Mauckly lecture at ISCA, June 2003.
- Crest Distinguished Lecture, Georgia Tech, 2002.
- Keynote Address, 11th ACM SIGPLAN Symposium on Principles and Practice of Parallel Programming, Atlanta, GA, May 1999.
- Keynote Address, Micro-31: ACM/IEEE International Symposium on Microarchitecture, Dallas, TX, November, 1998.
- Custom-Fit Processors, Invited talk, Princeton University, November, 1996.
- Custom-Fit Processors, Invited talk, PACT-II, October, 1996.
- Custom-Fit Processors, Keynote Address, Conference on High Performance Computer Architectures, February, 1996.

- Instruction-Level Parallelism. Invited Lecture, Lockheed Research Center. Palo Alto, CA, March, 1993.
- Instruction-Level Parallelism. Invited Lecture, American Institute of Physics, Annual Corporate Associates Meeting. Palo Alto, CA, October 1992.
- Mapping Ideal Instruction-Level Parallelism Into Reality. Invited address, Micro-25. Portland, OR, November, 1992.
- RISC: The Death of Microcode or The Victory of Microcode. Keynote address, Micro-24. Albuquerque, NM, November, 1991.
- Instruction-level Parallelism. Distinguished Lecture, Princeton University, September, 1991.
- VLIW architectures: An inevitable standard for the future? In Supercomputing 90, Second European Conference on Supercomputing. London, England. January, 1990.
- Microprogramming, microprocessing, and supercomputing. In 13th Annual Conference on Microprogramming and Microprocessing. Zurich, Switzerland, September, 1988 (Keynote Address and paper).
- Replacing hardware that thinks (especially about parallelism) with a very smart compiler. In International Specialist Seminar on the Design and Application of Parallel Digital Processors. The Institution of Electrical Engineers, Electronics Division (Great Britain). Lisbon, Portugal, June, 1988.
- Very Long Instruction Word architectures: Supercomputing via overlapped execution. In Proceedings of The Second International Conference on Supercomputing. International Supercomputing Institute, Santa Clara, CA, May, 1987.
- A new architecture for supercomputing. In Compcon, Spring '87. IEEE Computer Society, February, 1987.
- Wide instruction word architectures: Solving the supercomputer software problem. In Proceedings of the International Seminar on Scientific Supercomputers, pages 29-46. Institut National de Recherche en Informatique et en Automatique (INRIA). Published by North Holland, February 1987.
- Many more departmental colloquia, industrial and other invited talks.

(Representative) Technical Reports and Other Publications:

- Many Hewlett-Packard Technical Reports.

- Instruction-Level Parallelism, 90 minute video in The Distinguished Lecture Series, University Video, October, 1992.
- The awful truth about software, invited editorial in The Computer Bulletin, British Computer Society, February, 1990.
- Design and use of the Yale Digital Simulator. With Douglas Baldwin, Richard Kelsey, John Ruttenberg and John Ellis. Yale Computer Science Department Technical Report No. 267. April 1983
- Computer systems architecture at Yale. Research Report 241, Yale University, Department of Computer Science, July 1982.
- The Optimization of Horizontal Microcode Within and Beyond Basic Blocks: An Application of Processor Scheduling With Resources. PhD Thesis. Also, U.S. Department of Energy Report COO-3077-161, Courant Mathematics and Computing Laboratory, New York University, October 1979.

Ph.D. Theses Directly Supervised:

- *John Ellis*. Bulldog: A Compiler For VLIW Architectures, Yale University, May 1984. First place, ACM Distinguished Thesis Award.
- *Alex Nicolau*. Parallelism, Memory Anti-aliasing and Correctness Issues for a Trace-Scheduling Compiler, Yale University, December 1984.
- *Douglas Baldwin*. Automatic Evaluation of Design Choices in Digital Controller Design, Yale University, May 1985.

(Representative) Patents and University Grants:

- Patent Number: US5710912; Jan. 20, 1998; Method and apparatus for enabling a computer system to adjust for latency assumptions; Schlansker, Michael S; Rau, B. Ramakrishna; Gupta, Rajiv; Fisher, Joseph A.
- Patent Number: US5870576; Feb. 09, 1999; Method and apparatus for storing and expanding variable-length program instructions upon detection of a miss condition within an instruction cache containing pointers to compressed instructions for wide instruction word processor architectures; Faraboschi, Paolo; Fisher, Joseph A.
- Patent Number: US6026479; Feb. 15, 2000; Apparatus and method for efficient switching of cpu mode between regions of high instruction level parallelism and low instruction level parallelism in computer programs; Fisher, Joseph A.; Faraboschi, Paolo; Emerson, Paul G.; Raje, Prasad A.
- Patent Number: US6122708; Sep. 19, 2000; Data cache for use with streaming data; Faraboschi, Paolo; Fisher, Joseph A.

- Patent Number: US7051340; May 23, 2006; System and method for isolating applications from each other; Lain, Antonio; Fisher; Joseph A.
- Patent Number: US7194732; March 20, 2007; System and method for facilitating profiling an application; Fisher; Joseph A.; Desoli, Giuseppe.
- National Science Foundation grant MCS-81-06181. An Attached Processor Systems Laboratory. \$2,658,560. October 1981 - September 1986. Significant participant in obtaining and utilizing this department-wide Coordinated Experimental Research grant.
- National Science Foundation grant MCS-81-07646. The extension and application of global compaction techniques for horizontal scientific code. \$94,599. July 1981 - December 1983.
- National Science Foundation grant MCS-83-08988. The extension and application of global compaction techniques for horizontal scientific code. \$110,967. Renewal of MCS-81-07646. January 1984-December 1985.
- Several other university grants.

Personal Information:

Born July 22, 1946, New York, NY

Married (since 1967) to Elizabeth Fisher

2 Children in graduate school

(cv date: April 9, 2008)

EXHIBIT 2

BIOGRAPHY — JOHN F. WAKERLY

Last updated January, 2007

John F. Wakerly
1704 Fairfax Lane
Oakbrook Terrace, IL 60181
john@wakerly.com (email)
(408) 398-8064 (mobile)

(630) 916-0084 (IL fax)
(650) 948-4166 (CA fax)

Education:

Marquette University, 9/66–6/70, B.E.E. (summa cum laude) 6/70
Stanford University, 9/70–6/71, M.S.E.E. 6/71
Stanford University, 6/71–12/73, Ph.D.(E.E.) 12/73

Professional Experience:

Cisco Systems, Inc.

6/02–2/07 VP and CTO, Routing Technology Group
12/00–5/02 VP and CTO, Enterprise Line of Business
4/97–11/00 VP of Engineering, Workgroup Business Unit

As CTO, I focused on internal and external technology directions and partnering opportunities for Cisco's \$10B+ enterprise business. In this role, I was also very involved with Cisco's patent activities and university relationships.

Initially at Cisco, I managed the engineering team who designed the 256-Gb/s switching fabric first used in Cisco's flagship Catalyst 6500 enterprise switch/router, and who also designed the Cisco IOS L2/L3 switching software used in the 6500's distributed forwarding architecture. Later, I took responsibility for managing the entire 650-person Catalyst 6500 engineering team, before moving into the CTO role.

During my tenure at Cisco, I filed a dozen patent applications in which I was inventor or co-inventor, resulting in two issued patents so far.

Alantec Corporation / FORE Systems LAN Switching Division

2/96–3/97 Executive VP and CTO, FORE Systems LAN Switching Division
11/93–2/96 Executive VP and CTO, Alantec Corp.
6/91–2/96 Member, Board of Directors, Alantec Corp.
7/90–11/93 Vice President of Engineering, Alantec Corp.
5/88–2/90 Consultant, Alantec Corp.

As a consultant, I designed the architecture of a multiport LAN bridging product using IBM PC-AT industry-standard architecture (ISA) computers as the platform; this product was not successful. As Vice President of Engineering, I led the engineering team through "restarts" in 1990 and 1991, eventually leading to successful introduction of the PowerHub product line in 1992, the company's IPO in February, 1994, and acquisition by FORE Systems in February, 1996.

Both as VP of Engineering and as CTO, my primary focus with Alantec was on product strategy, product architecture, and team building. On the technical side, I was the inventor or co-inventor of eleven patents resulting from my work.

DAVID Systems Inc., Sunnyvale, CA

11/82-2/87 Founder and Director of System Architecture

3/87-4/88 Consultant

Responsible for the architecture and detailed digital design of a new modular voice, data, and network switch. Accomplishments included design of a multi-CPU, redundant common-control unit, high-speed timeslot bus and packet bus architectures (patent awarded), "merged" circuit-switching and packet-switching system architecture, encapsulated asynchronous data protocol with transparent error correction, distributed digital phase-locked loop (patent awarded), efficient 10B/12B codes for fiber-optic transmission, packet bridge architectures, address filtering algorithms and hardware, and architectures for application-specific ICs.

BNR Inc., Palo Alto, CA

7/76-7/79 Member, Scientific Staff

2/81-10/82 Member, Scientific Staff (part-time)

Design of the voice, data, and message communication networks for two different digital voice and data PBXs, including bus architecture, reliability architecture, interface design, and backplane design. Overall system reliability architecture and evaluation. Evaluation and selection of main CPU and peripheral microcontrollers. Logic design and debugging of a 1000-channel voice and data network card, tone and conference circuits. Specification and logic design of a custom LSI PCM switching circuit, and of a custom LSI digital phase-locked loop for clock recovery in a digital distribution scheme (patent awarded).

Micro Systems Engineering

12/78- My "DBA" for independent consulting, lecturing, and writing.

Stanford University, Electrical Engineering Department

9/94- Consulting Professor (part time)

9/79-9/94 Consulting Associate Professor (part time)

1/79-9/79 Lecturer (part-time)

9/77-3/78 Lecturer (part-time)

9/74-9/77 Assistant Professor

1/74-9/74 Research Associate and Lecturer

Patent consulting:

Over the past 20-25 years I have had about ten engagements with attorneys on patent and IP-related matters, typically serving in litigation as a consultant or expert witness. Activities have included the creation of about ten claim charts, appearances in about half a dozen depositions, and 3-4 times on the witness stand. My biggest case was for my employer, Cisco Systems, in 2005, where I served before trial as a technical consultant; and during the four-week trial as the "face of Cisco" at the defendants' table and as a fact witness for one of my own patents which was used in part to invalidate the plaintiff's patent; in an outstanding team effort, we neutralized a \$3.3B claim.

University courses taught and/or designed:

Introduction to computer organization and programming (textbooks produced)
Computer architecture
Operating systems
Logic design and switching theory
Advanced switching theory
Error-detecting codes and applications (textbook produced)
Digital logic laboratory (textbook produced)
Microprocessor laboratory (textbook produced)
Undergraduate digital logic design lecture/laboratory (textbooks produced)

Outside short courses designed and taught:

Computer Science Lecture Series (Apple Inc., 1982)
Comparison of Recent Microcomputer Architectures (IBM, 1981; UC ext., 1981, 1982)
Open Lectures on Computing (University of Kent, Canterbury, with D. Allison, 1981)
Error Detecting and Correcting Codes and Applications (Honeywell, 1980)
Microcomputer Software Design (Hellman Associates, 1979)

Professional Activities:

Member, IEEE; former member, ACM
Member, Editorial Board, *Microprocessor Report*, 1997–
Contributing Editor, *Microprocessor Report*, 1987–97
Editor, *Computer Architecture News* (ACM SIGARCH Newsletter), 1980–87
Director, ACM Special Interest Group on Architecture (SIGARCH), 1979–81
Member of Editorial Board, *Microprocessors and Microsystems*, 1977–88
Faculty Executive Committee, National Technological University, 1982–87
General Chairman and co-Program Chairman, Spring Compcon 1984
Program Chairman, Spring Compcon 1983
Member, Program Committee:
 IEEE Hot Chips Symposium, 1989
 Spring Compcon 1979, 1981, 1982
 11th Symp. on Fault-Tolerant Computing (1981)
 Asilomar Workshop on Microprocessors 1975-1990
 Fourth Annual Symposium on Computer Architecture, 1977
IEEE Computer Society Santa Clara Valley Chapter:
 Chairman 1977–78, Vice-Chairman 1976–77, Secretary 1975–76
Fifth Annual Symposium on Computer Architecture, 1978:
 Vice Chairman and Treasurer, 1977–78
Third Annual Symp. on Fault-Tolerant Computing, 1973: Local Arrangements Chairman
Session Chairman at various workshops and symposia, 1975–
Referee, *IEEE Trans. Comput.*, *Computer*, *Micro*, *Computer Design*, and various
 conferences, 1972–
Reviewer of textbook manuscripts for Prentice-Hall, Addison-Wesley, John Wiley &
 Sons, McGraw-Hill, Digital Press, Artech House, and other computer-engineering
 publishers, 1976–

Scholarships, Academic Honors, and Awards:

Cisco Systems Pioneer Award, 2000

IEEE Centennial Medal, 1984

Hertz Fellowship, Stanford University, 1970-73

NSF Fellowship, 1970 (declined)

4-year scholarship, Marquette University, 1966-70

Outstanding Engineering Freshman, Sophomore, Junior, and Senior Awards, Marquette University, 1967-70

Graduated *summa cum laude* with baccalaureate degree, Marquette University, 1970

Elected to Tau Beta Pi, Eta Kappa Nu, Sigma Xi

Personal:

Married, three adult children

President, Wakerly Family Foundation

Activities – travel, listening to music, reading email, home improvement, helping my aging parents

BIBLIOGRAPHY

John F. Wakerly
Updated January, 2007

Books

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EXHIBIT 3

Tibor L. Nagy

From: Rick Werder [RickWerder@QuinnEmanuel.com]
Sent: Friday, April 18, 2008 10:00 AM
To: Tibor L. Nagy
Subject: Technical Advisor

Tibor we will have a name or names by Monday as agreed. As a heads up, it looks like we will not be able to agree on Fisher because of client concerns over his H-P history.

Rick

4/25/2008

EXHIBIT 4

Tibor L. Nagy

From: Edward DeFranco [eddefranco@quinnemanuel.com]
Sent: Tuesday, April 22, 2008 6:52 PM
To: Tibor L. Nagy; Clement Roberts
Cc: Richard Erwine
Subject: RE: Technical Advisor Candidates

Tibor - Apart from Fisher's employment by HP, please let us know whether Fisher or Wakerly have any other current or prior relationship with Intel, Microsoft, or HP. Thanks, Ed

From: Tibor L. Nagy [mailto:tnagy@SusmanGodfrey.com]
Sent: Monday, April 21, 2008 4:27 PM
To: Adam Wolfson; Alexander Rudis; Andrew Curran; Brad Cohen; Brent B. Barriere; Bruce Gerstein; D. Skylar Rosenbloom; David Elsberg; David Patron; Edward DeFranco; Frederick Lorig; Harry M. Barton; Jonathan Scharf; Katherine Weall; Morris Waisbrot; Noah Silverman; Patricia Bostic; Peter Tsapatsaris; Philippe Selendy; Renee Bea; Richard Erwine; Rick Werder; Shahreen Mehjabeen; Thomas Pease; Todd Anten
Cc: Alisha R. Chandler; Clement Roberts; Gregory Handschuh; Helen Danielson; Jacob W. Buchdahl; Joe Gratz; Martin Powers; Ryan C. Kirkpatrick; Steve Morrissey; Steve Susman; Tibor L. Nagy
Subject: PSI: Technical Advisor Candidates

Enclosed are the resumes of PSI's proposed technical advisor candidates. We have contacted these individuals and confirmed that they are interested and have no conflicts.

We are not aware of any prior contacts, affiliations, grants, relationships, funded research or any other facts that would indicate any bias as between these candidates and PSI. Fisher's employment by HP, which you consider a source of bias (we disagree), was disclosed to you when we first disclosed Fisher several weeks ago.

Please disclose any relationships, affiliations, grants, prior contacts, funded research, or any facts of whatever kind you are aware of that might indicate any bias as between your proposed candidates and IBM. After we receive that disclosure from you, we propose having a call to discuss the possibility of agreement on one or more of the four candidates. We propose that that call take place no later than Thursday morning.

4/25/2008

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tnagy@susmangodfrey.com | www.susmangodfrey.com
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4/25/2008

EXHIBIT 5

Tibor L. Nagy

From: Tibor L. Nagy
Sent: Thursday, April 24, 2008 5:28 PM
To: Edward DeFranco
Cc: Rick Werder; Richard Erwine; Alexander Rudis; Steve Susman; Clement Roberts; Martin Powers
Subject: RE: Technical Advisor Candidates

Thanks, Ed.

I spoke with Dr. Fisher and Dr. Wakerly earlier today. Dr. Fisher has no current or prior relationship with Microsoft. With respect to Intel, in 1989 Intel made a very small investment (approximately 1%-2% of total equity) in Dr. Fisher's startup company Multiflow Computer, Inc. ("Multiflow"). Multiflow ceased operations in 1990. In 2003, Dr. Fisher and two Fellows at Intel collaborated on a proposal for a project that was ultimately never undertaken by either Intel or HP. Dr. Fisher has had no other relationship with Intel.

Dr. Wakerly has no current or prior relationships with HP or Microsoft. With respect to Intel, in his capacity as CTO of Cisco (an Intel customer), Dr. Wakerly occasionally communicated with Intel concerning Cisco's technical needs. These communications were a very minor part of his job responsibilities at Cisco and were typical of communications he had with other Cisco suppliers.

Again, I reiterate that PSI believes that contacts/relationships with Microsoft, Intel and HP are irrelevant.

Please let us know by COB tomorrow what objections, if any, IBM has to either Fisher or Wakerly. Per our agreement, we will do the same with respect to Arvind and Saltzer.

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4/25/2008

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From: Edward DeFranco [mailto:eddefranco@quinnemanuel.com]
Sent: Thursday, April 24, 2008 1:31 PM
To: Tibor L. Nagy
Cc: Rick Werder; Richard Erwine; Alexander Rudis; Steve Susman; Clement Roberts; Martin Powers
Subject: Technical Advisor Candidates

Tibor:

We spoke to Prof. Arvind this morning. He does not have any current consulting relationships with IBM. IBM is, however, sponsoring a joint research program by two of his students involving the PowerPC product. Prof. Arvind also indicated that he had consulted for IBM more than 20 years ago relating to some "design tools." He also indicated that Intel and Microsoft have also provided funding for some of his research. He has had no relationship with HP. Please feel free to confirm any of this with him directly.

With respect to Prof Saltzer, from some time around 1980 until 1998 Dr. Saltzer was the liaison faculty member for the MIT Department of Electrical Engineering and Computer Science internship program with the Hewlett-Packard development laboratories in Cupertino and in Boise. His role was to visit the HP facilities to learn about the assignments of the interning students. Apart from that, Dr. Saltzer does not recall any relationships, affiliations, grants, or research funded by HP, Microsoft, or Intel. Please feel free to confirm any of this with him directly.

Ed

From: Tibor L. Nagy [mailto:tnagy@SusmanGodfrey.com]
Sent: Thursday, April 24, 2008 9:19 AM
To: Edward DeFranco
Cc: Rick Werder; Richard Erwine; Alexander Rudis; Steve Susman; Clement Roberts; Martin Powers
Subject: FW: Technical Advisor Candidates

Ed,

Please let me have a response to the below. Also, I never heard back from you yesterday re Arvind. Please disclose any current or prior relationships (eg, consulting engagements, grants, funding, contacts, etc) Arvind has had with IBM. We would like to discuss this candidate, but we cannot do so until you make this disclosure.

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4/25/2008

From: Tibor L. Nagy
Sent: Tuesday, April 22, 2008 9:09 PM
To: Edward DeFranco
Cc: Richard Erwine; Steve Susman; Clement Roberts; Rick Werder
Subject: RE: Technical Advisor Candidates

Ed,

We don't believe relationships with Intel, Microsoft or HP are relevant. That said, we are willing to provide you with whatever information we can obtain concerning Fisher's and Wakerly's relationships with those three companies if you will do the same for us with respect to Saltzer and Arvind. That is, in addition to sending me the previously-requested information about Arvind's contacts/relationships/history with IBM, you will now also send us information concerning Saltzer's and Arvind's contacts/relationships/history with Intel, Microsoft and HP. Please confirm that you will do this. Thanks

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From: Edward DeFranco [mailto:eddefranco@quinnemanuel.com]
Sent: Tuesday, April 22, 2008 6:52 PM
To: Tibor L. Nagy; Clement Roberts
Cc: Richard Erwine
Subject: RE: Technical Advisor Candidates

Tibor - Apart from Fisher's employment by HP, please let us know whether Fisher or Wakerly have any other current or prior relationship with Intel, Microsoft, or HP. Thanks, Ed

From: Tibor L. Nagy [mailto:tnagy@SusmanGodfrey.com]
Sent: Monday, April 21, 2008 4:27 PM
To: Adam Wolfson; Alexander Rudis; Andrew Curran; Brad Cohen; Brent B. Barriere; Bruce Gerstein; D. Skylar Rosenbloom; David Elsberg; David Patron; Edward DeFranco; Frederick Lorig; Harry M. Barton; Jonathan Scharf; Katherine Weall; Morris Waisbrot; Noah Silverman; Patricia Bostic; Peter Tsapatsaris; Philippe Selendy; Renee Bea; Richard Erwine; Rick Werder; Shahreen Mehjabeen; Thomas Pease; Todd Anten
Cc: Alisha R. Chandler; Clement Roberts; Gregory Handschuh; Helen Danielson; Jacob W. Buchdahl; Joe Gratz; Martin Powers; Ryan C. Kirkpatrick; Steve Morrissey; Steve Susman; Tibor L. Nagy

4/25/2008

Subject: PSI: Technical Advisor Candidates

Enclosed are the resumes of PSI's proposed technical advisor candidates. We have contacted these individuals and confirmed that they are interested and have no conflicts.

We are not aware of any prior contacts, affiliations, grants, relationships, funded research or any other facts that would indicate any bias as between these candidates and PSI. Fisher's employment by HP, which you consider a source of bias (we disagree), was disclosed to you when we first disclosed Fisher several weeks ago.

Please disclose any relationships, affiliations, grants, prior contacts, funded research, or any facts of whatever kind you are aware of that might indicate any bias as between your proposed candidates and IBM. After we receive that disclosure from you, we propose having a call to discuss the possibility of agreement on one or more of the four candidates. We propose that that call take place no later than Thursday morning.

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4/25/2008

EXHIBIT 6

Tibor L. Nagy

From: Edward DeFranco [eddefranco@quinnemanuel.com]
Sent: Sunday, April 27, 2008 10:53 AM
To: Tibor L. Nagy; Rick Werder
Cc: Steve Susman; Steve Morrissey; croberts@kvn.com; Martin Powers; Richard Erwine; Alexander Rudis
Subject: Technical Advisors

Tibor - I spoke with Rick, and I am writing to confirm that we object to Dr. Wakerly for the reasons we mentioned to you previously: (1) his background is not sufficiently close to the technology in the case; (2) he is more of an industry person than an academic, and his industry work is not sufficiently close to the technology in the case.

As I told you on Friday, based Judge Kaplan's April 22nd Order, our view is that that the parties should continue to work together to attempt to reach agreement on at least two technical advisor candidates to jointly propose to the Court, rather than sending in competing letters that identify our respective candidates and set forth objections to the other side's. With that in mind, we plan to have at least one additional candidate to propose on Monday. Ed

-----Original Message-----

From: Tibor L. Nagy [mailto:tnagy@SusmanGodfrey.com]
Sent: Friday, April 25, 2008 6:33 PM
To: Rick Werder; Edward DeFranco
Cc: Steve Susman; Steve Morrissey; croberts@kvn.com; Martin Powers; Alexander Rudis
Subject: RE: Technical Advisor

Rick,

Last week you and I agreed on a timeline for selecting tech advisor candidates, and all I'm asking for is that you abide by what we agreed on. Steve is on vacation, too, and we had no problem living up to our agreement.

I don't see how Judge Kaplan's note means you need more time to tell us what IBM's position is on Wakerly, which is all we want to know.

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-----Original Message-----

From: Rick Werder [<mailto:RickWerder@QuinnEmanuel.com>]
Sent: Friday, April 25, 2008 6:22 PM
To: Tibor L. Nagy; Edward DeFranco
Cc: Steve Susman; Steve Morrissey; 'croberts@kvn.com'; Martin Powers;
Alexander Rudis
Subject: Re: Technical Advisor

Tibor, I'm on vacation with family. I took judge's note as indicating lack of urgency and better to take time to have good candidates.

----- Original Message -----

From: Tibor L. Nagy <tnagy@SusmanGodfrey.com>
To: Edward DeFranco
Cc: Steve Susman <ssusman@SusmanGodfrey.com>; Steve Morrissey <smorrissey@susmangodfrey.com>; Clement Roberts <croberts@kvn.com>; Martin Powers <mpowers@susmangodfrey.com>; Rick Werder; Alexander Rudis
Sent: Fri Apr 25 15:18:05 2008
Subject: FW: Technical Advisor

Ed:

1. As I indicated yesterday, we cannot agree to either Dr. Saltzer or Dr. Arvind because they each have extensive ties to IBM (see the notes I sent you yesterday). Although PSI would have been happy to consider any other candidates that do not have extensive ties to IBM, you told me today that you are not aware of any.
2. On 4/17/2008 we agreed that we would each disclose any objections we had to any proposed candidates by today. I abided by that agreement and promptly informed you yesterday afternoon that PSI does not agree to Dr. Saltzer or Dr. Arvind.

With respect to Dr. Fisher, Rick has advised me that IBM objects to Dr. Fisher because of his prior employment by HP. With respect to Dr. Wakerly, on our telephone call today you stated that you could not tell me what IBM's position is on Dr. Wakerly because you needed to discuss this issue with Rick. Please reconsider that non-position and live up to our agreement. Whether IBM contends Dr. Wakerly lacks the qualifications for the job or has some sort of conflict are not complicated issues. And Rick has been ably meeting and conferring with us about privilege issues over the past few days, including today.

We intend to file our proposal with the Court on Monday. If you do not tell us your position w.r.t. Wakerly before Monday, we will simply tell the Court what you have told us so far: that IBM's position appears to be that Wakerly is not qualified because "he is more of a networking guy." Although I am happy to work with you when doing so makes sense and is fair to both sides, that is not the case here--you have provided us with no legitimate reason for delay, and no indication that IBM might agree to Wakerly (so far, you have only indicated the opposite). Please send me an e-mail tomorrow or Sunday re IBM's position on Wakerly.

Best.

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www.susmangodfrey.com *Privileged and Confidential Communication*

From: Rick Werder [<mailto:RickWerder@QuinnEmanuel.com>]
Sent: Friday, April 18, 2008 10:00 AM
To: Tibor L. Nagy
Subject: Technical Advisor

Tibor we will have a name or names by Monday as agreed. As a heads up, it looks like we will not be able to agree on Fisher because of client

concerns over his H-P history.

Rick

EXHIBIT 7



Jerry Saltzer

Business Card:

Jerome H. Saltzer
Professor of Computer Science, Emeritus
Department of Electrical Engineering and Computer Science
Computer Science and Artificial Intelligence Laboratory
Massachusetts Institute of Technology

email: Saltzer@mit.edu
<http://mit.edu/Saltzer>

More details:

Biographical sketch (one page)
Curriculum vitae (about three pages)
Publication list (about 50 items)
Theses supervised (about 40)
Former Research group (Library 2000) at the M. I. T. Laboratory for Computer Science
Frederick Ferdinand Schafer catalog
Contact information

NHS

This page created 9/22/1994; last revised on 5/18/2006 by jhs

Jerome H. Saltzer: Brief Biographical Sketch

[Note: The links in the text on this page lead to other web sites, and recent browsers will display their targets in a second window.]

Jerome H. Saltzer was born in Nampa, Idaho, on October 9, 1939. He received the degrees of S.B. in 1961, S.M. in 1963, and Sc.D. in 1966, from the Massachusetts Institute of Technology, all in Electrical Engineering.

Since 1966, he has been a faculty member of the Department of Electrical Engineering and Computer Science at M. I. T., where he helped formulate the undergraduate curriculum in Computer Science, and developed the core subject on the engineering of computer systems. At the M. I. T. Computer Science and Artificial Intelligence Laboratory (formerly the Laboratory for Computer Science and previously known as Project MAC) he developed RUNOFF, the ancestor of most type-setting formatters, and TYPSET, an early context editor; together these two programs constituted one of the first widely-used word-processing systems. He participated in the refinement of the Compatible Time-Sharing System (CTSS) and was involved in all aspects of the design and implementation of the Multiplexed Information and Computing Service (Multics), including the design of the first kernel thread package, the first time-of-century clock and, in the early 1970's, a project to develop what would today be known as a micro-kernel. Together with David Clark and David Reed, he articulated the end-to-end argument, a key organizing principle of the Internet. More recently, his research activities have involved the design of a token-passing ring local area network, networking of personal computers, and designing the electronic library of the future. From 1984 through 1988 he was Technical Director of M. I. T. Project Athena, a system for undergraduate education comprising networked engineering workstations, and probably the first successful implementation of the network computer. Throughout this work, he has had a particular interest in the impact of computer systems on society, especially on privacy and the risks of depending on fragile technology.

In September, 1995, Professor Saltzer retired from the full-time faculty. He continues to write and teach about computer systems part-time.

In addition to computer science, Professor Saltzer dabbles in art history, particularly nineteenth century art of the western United States. He is preparing a catalog of the paintings of Frederick Ferdinand Schafer, and is always happy to receive information about either the artist or his paintings.

Professor Saltzer is a member of the National Academy of Engineering, a Fellow of the IEEE and the AAAS, a member of the Association for Computing Machinery, Sigma Xi, Eta Kappa Nu, and Tau Beta Pi, a former member of the Computer Science and Telecommunications Board of the National Research Council, and a former member of the Mayor's Telecommunications Advisory Board for the City of Newton, Massachusetts.

Last updated: May 2007 by jhs

Return to Professor Saltzer's home page

CURRICULUM VITAE

NAME: Jerome Howard Saltzer

PERSONAL: Born 1939, Nampa, Idaho; married 1961 to Marlys Anne Hughes; children Rebecca born 1962, Sarah born 1963, and Mark born 1967; resident of Boise, Idaho, citizen of U.S.A.

EDUCATION: S.B. 1961, S.M. 1963, Sc.D. 1966, Department of Electrical Engineering, Massachusetts Institute of Technology.

EMPLOYMENT: Massachusetts Institute of Technology, Department of Electrical Engineering and Computer Science (before 1974, Department of Electrical Engineering): Undergraduate Research Staff, Digital Computer Components and Systems Laboratory, 1959-60; Teaching Assistant, 1961-63; Instructor, 1963-66; Assistant Professor, 1966-1970; Associate Professor, 1970-1976; Professor of Computer Science and Engineering, 1976-1995. Professor Emeritus and Senior Lecturer, 1995-present.

M.I.T. Computer Science and Artificial Intelligence Laboratory (before 2003, Laboratory for Computer Science; before 1976, Project MAC): Member, 1964-present; Co-Head, Computer Systems Research Division, 1970-1975. Head, Computer Systems Research Group, 1975-1984. Laboratory Executive Committee, 1980-1985. Head, Library 2000 Research Group, 1991-1997.

M.I.T. Project Athena: Technical Director, 1984-1989.

Sabbatical and Summer assignments: M.I.T. Lincoln Laboratory, Summer, 1961, 1962. IBM San Jose Research Lab, Summer, 1970. IBM Data Processing Group staff, 1977-78. University of Cambridge Computer Laboratory, Spring, 1989. Digital Equipment Corporation Systems Research Center, Palo Alto, California, Fall, 1989; summer, 1990, 1991, 1992, 1993. Stanford University, October, 1995 and October, 1996.

Consulting: U.S. Department of Defense, 1966-1980. Chemical Abstracts Service, 1968-1988. Mitre Corporation, 1969. RCA, 1969, 1980. ITT, 1970. IBM Corporation, 1970-1984. GTE, 1974. Signatron, 1974. Spartacus, 1981. U. of Wash., 1981-83. Nippon Electric, 1983. First Boston Corporation, 1983. Otis Elevator Company, 1983. Data General Corporation, 1984. Wellfleet Communications, 1987-1991. Strategic Planning Associates, 1989. Digital Equipment Corporation, 1989. Fujitsu, 1990. Mitsubishi Electric, 1991. Weil, Gotshal, & Manges, 1993. Microsoft Corporation, 1998. Morgan & Finnegan, L.L.P., 2001. Cravath, Swaine & Moore, 1995-2000.

RESEARCH AREAS: Entered computer field in 1961; File system command design (1963-64); Computer security and privacy (1963-present); Word processing (1964-66); Parallel process coordination (1964-67); Time-sharing system design (1964-73); Software project management (1967-70); Computer-terminal communications (1967-1970); Time-sharing system performance (1969-1971); Name binding in computer systems (1974-1978); Local computer networks (1976-1988); Atomicity and recovery (1978-1985); Interenterprise data networks (1981-1985); Computer systems for education (1984-1989); Digital library systems (1989-2000).

SYSTEM DEVELOPMENTS: as participant or leader.

- The Compatible Time Sharing System (as participant)
- TYPSET & RUNOFF, word processor
- Multics (as participant)

- Multics security kernel
- V1LNI, V2LNI, Token ring local area network
- PCIP, personal computer networking
- Project Athena
- MIT/CS-TR, digital library

PATENTS: U.S. Patent 4,438,520, "Clock regeneration in a Data Communication Ring," 1984.

PUBLICATIONS: See separate lists of formal publications and circulated but unpublished writings.

TEACHING: Developed early M.I.T. computer programming laboratories; participated in development of the M.I.T. undergraduate curriculum in Computer Science.

Developed M.I.T. subjects "Engineering of Computer Systems," "Problems in Multiplexed Computer System Design," and "Topics in Computer System Research" (graduate).

Taught lectures and recitations in EECS subjects: Electrical Circuits Laboratory; Introductory Circuit Theory; Digital Computer Programming Systems; Introduction to Automatic Computation; Programming Linguistics; Computation Structures; Computer Language Engineering; Structure and Interpretation of Computer Programs.

Data General Corp. Education Department, "Advanced Topics in Computer System Design," 1981-1984.

Lecture Series:

- Japan Electronic Industry Dev. Assoc., Tokyo, 1966,70
- Association for Computing Machinery, 1968
- Technion--Israel Institute of Technology, 1973
- Technical University of Munich, 1977, 78
- Tata Institute of Fundamental Research, Bombay, 1979
- Tata Consultancy Services, Bombay, 1980
- M.I.T. Industrial Liaison Program, Europe, 1981, 82
- Stanford University, Forsythe Memorial Lectures, 1982
- IBM Europe Summer Institute, 1983

SERVICE: Reviewer for National Science Foundation, National Institutes of Health. Referee for Communications of the ACM, Computing Surveys, Computing Reviews, Proceedings IEEE, IEEE Transactions on Software Engineering, IEEE Transactions on Communications, IEEE Journal of Selected Areas in Communications, IBM Systems Journal, IBM Journal of Research and Development, ACM Transactions on Computer Systems, Journal of Internetworking.

Session chairman, program committee member, panelist for ACM, AFIPS, IEEE, and INRIA conferences, workshops, and symposia.

General chairman, Ninth ACM Symposium on Operating Systems Principles, 1982-83.

Committees, etc.:

- Defense Science Board Task Force on Computer Security, 1967-70.

- Defense Advanced Research Projects Agency Working Group on Computer Security, 1973-1980.
- Air Force Summer Task Force on Computer Security, 1982.
- M.I.T. Committee on Privacy, 1983-1995
- Mayor's Cable Advisory Board, Newton, Massachusetts, 1984-2006.
- ACM Committee on Computers and Public Policy, 1985-present.
- Computer Science and Telecommunications Board of the National Research Council, 1990-1993.
- Committee on an Information Technology Strategy for the Library of Congress, National Research Council, 1999-2001.
- Committee on Digital Archiving and the National Archives and Records Administration (NARA), National Research Council, 2002-2005.

MEMBER: National Academy of Engineering, Association for Computing Machinery, Institute of Electrical and Electronic Engineers (Fellow), IEEE Computer Group, American Association for the Advancement of Science (Fellow), Sigma Xi, Eta Kappa Nu, Tau Beta Pi.

ADDRESS:

2635 East Plateau Drive
Boise, Idaho 83712

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WEB PAGE: <http://mit.edu/Saltzer>

(Updated May 2007)

[Return to Professor Saltzer's home page](#)

Publications of Jerome H. Saltzer

(comprehensive list in reverse chronological order)

There is also a [list of unpublished writings](#).

Last updated 12 December 2006

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Jerome H. Saltzer.

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Committee on an Information Technology Strategy for the Library of Congress, Computer Science and Telecommunications Board, Commission on Physical Sciences, Mathematics, and Applications, National Research Council. (James J. O'Donnell, James Blackaby, Ross E. Brown, Ginnie Cooper, Dale Flecker, Nancy Frishberg, James Gray, Margaret Hedstrom, Carl Lagoze, Lawrence H. Landweber, David M. Levy, Ann Okerson, Doug Rowan, Jerome H. Saltzer, Howard Turtle, and Mary Ellen Zurko.)

LC21: A Digital Strategy for the Library of Congress.

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David P. Reed, Jerome H. Saltzer, and David D. Clark.

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IEEE Network 12, 3 (May/June 1998) pages 69-71.

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Jerome H. Saltzer.

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Jerome H. Saltzer.

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Jerome H. Saltzer.

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Jerome H. Saltzer.

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Jerome H. Saltzer, David D. Clark, John L. Romkey, and Wayne C. Gramlich.

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Jerome H. Saltzer.

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Jerome H. Saltzer.

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Jerome H. Saltzer.

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Michael D. Schroeder, David D. Clark, and Jerome H. Saltzer.

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Jerome H. Saltzer.

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Jerome H. Saltzer.

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Jerome H. Saltzer, and Michael D. Schroeder.

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Jerome H. Saltzer, chair

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Jerome H. Saltzer.

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ACM Operating Systems Review 8, 3 (July 1974) pages 8-24. Reprinted in *Computer Security and Privacy Symposium*. Honeywell Information Systems, August 1975, pages 53-62.

(Paper not available on-line.)

Jerome H. Saltzer.

Protection and the Control of Information Sharing in Multics.

Fourth ACM Symposium on Operating System Principles (October 1973) pages 10-24 of preprint package. Revised version appeared in *Communications of the ACM* 17, 7 (July 1974) pages 388-402.

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Jerome H. Saltzer.

A Simple Linear Model of Demand Paging Performance.

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This paper is available in the ACM Digital Library (a subscription service). An OCR'ed version of the preprint is also available.

Jerome H. Saltzer.

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Jerome H. Saltzer and Douglas H. Hunt.

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Some Multics security holes which were closed by 6180 hardware.

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Jerome H. Saltzer.

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Michael D. Schroeder and Jerome H. Saltzer.

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Jerome H. Saltzer.

Traffic Control in a Multiplexed Computer System.

M. I. T. Project MAC Technical Report MAC-TR-30, June 1966.

(Original CTSS runoff source not located.)

Scanned page images in portable document format (PDF/Adobe Reader). Large file warning: 3.6 Mbytes.

Jerome H. Saltzer.

Manuscript Typing and Editing.

in Patricia Crisman, editor. *The Compatible Time-Sharing System, A Programmer's Guide*. Second

edition. M. I. T. Press, 1965, section AH.9.01. An earlier version was distributed as *TYPSET and*

RUNOFF, Memorandum editor and type-out commands. Computation Center Memorandum and Project

MAC Memorandum CC-244/MAC-M-193, 6 November 1964.

(CTSS runoff source not located.) A paper copy of the December 1966 version has been scanned,

OCR'ed and rendered in Portable Document Format (PDF/Acrobat) and as a World Wide Web page.

Jerome H. Saltzer.

CTSS Technical Notes.

M. I. T. Project MAC Technical Report MAC-TR-16, March 1965. Originally distributed as Project MAC Memorandum MAC-M-152.

(CTSS runoff source not located.) Scanned page images via NCSTRL or via FTP.

Fernando J. Corbató, John W. Poduska, and Jerome H. Saltzer.

Advanced Computer Programming.

M. I. T. Press, 1963.

(Book not available on-line.)

William L. Black and Jerome H. Saltzer.

Resistive Diode Network Theory.

Tech Engineering News XLI, 4 (January 1960) pages 18-23.

(Paper not available on-line.)

Return to Professor Saltzer's home page

EXHIBIT 8

Tibor L. Nagy

From: Edward DeFranco [eddefranco@quinnemanuel.com]
Sent: Tuesday, April 22, 2008 3:58 PM
To: Tibor L. Nagy; Clement Roberts
Cc: Rick Werder; Richard Erwine; Alexander Rudis
Attachments: Kaplan 4-22 Order.pdf

Tibor - Attached is a copy of a letter that, as you're probably aware, just appeared on Pacer. Please call me to discuss it when you get a chance.

With respect to the information you requested relating to IBM's proposed technical experts, we are waiting to hear back from Prof. Arvind at MIT. As for Dr. Saltzer, as indicated on the resume Rich Erwine sent, he was a consultant to various divisions of IBM from 1970 to 1984. He was also Technical Director of Project Athena, an M.I.T. project that was jointly funded by IBM and DEC, from 1984 to 1989. From 1990 to 1995 the hardware used in his research was provided by a grant from IBM to MIT. Also, the consulting for Cravath Swaine & Moore shown on his resume was for IBM in a patent case brought by Data General Corp.

Regards, Ed

4/25/2008

EXHIBIT 9

Tibor L. Nagy

From: Tibor L. Nagy
Sent: Thursday, April 24, 2008 6:25 PM
To: Edward DeFranco
Cc: Rick Werder; Richard Erwine; Alexander Rudis; Steve Susman; Clement Roberts; Martin Powers; Steve Morrissey
Subject: RE: Technical Advisor Candidates

Ed:

After I received your e-mail I called both Professor Arvind and Dr. Saltzer. My notes from those calls are below. In light of their extensive ties to IBM, we are unable to agree to the appointment of either Professor Arvind or Dr. Saltzer as technical advisor to the Court.

Per our agreement, please let us know by COB tomorrow what objections, if any, IBM has to Dr. Fisher and/or Dr. Wakerly.

Please feel free to call me with any questions.

Arvind's Ties to IBM

- IBM is currently a "significant" customer of Bluespec, Professor Arvind's startup company.
- He has a "very close research relationship" with IBM. Currently, for example, IBM is funding his research involving the modeling of Power-PCs on FPGAs. He has "regular research meetings by phone" with IBM in connection with this project.
- IBM is also funding the RAMP project which Professor Arvind started. Specifically, IBM has made contributions to RAMP within the last 6 months.
- He has had other research projects that were funded by IBM going back to 1980.
- Some time in the 1990s, IBM hired him as an expert in a patent case. He prepared an expert report for IBM involving several patents.

Saltzer's Ties to IBM

- Worked as a consultant for IBM from 1970-1984 on multiple systems projects

4/25/2008

- Was the Technical Director of Project Athena from 1984-1989, which was a project funded by IBM
- From 1990-1995, the hardware that was used in his research at MIT was provided by a grant from IBM
- From 1995-2000, he served as a consulting expert for Cravath Swaine & Moore in patent cases on behalf of IBM.
- He has served as an editor/reviewer for both the IBM Systems Journal and the IBM Journal of Research & Development.

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Privileged and Confidential Communication

From: Edward DeFranco [mailto:eddefranco@quinnemanuel.com]
Sent: Thursday, April 24, 2008 1:31 PM
To: Tibor L. Nagy
Cc: Rick Werder; Richard Erwine; Alexander Rudis; Steve Susman; Clement Roberts; Martin Powers
Subject: Technical Advisor Candidates

Tibor:

We spoke to Prof. Arvind this morning. He does not have any current consulting relationships with IBM. IBM is, however, sponsoring a joint research program by two of his students involving the PowerPC product. Prof. Arvind also indicated that he had consulted for IBM more than 20 years ago relating to some "design tools." He also indicated that Intel and Microsoft have also provided funding for some of his research. He has had no relationship with HP. Please feel free to confirm any of this with him directly.

With respect to Prof Saltzer, from some time around 1980 until 1998 Dr. Saltzer was the liaison faculty member for the MIT Department of Electrical Engineering and Computer Science internship program with the Hewlett-Packard development laboratories in Cupertino and in Boise. His role was to visit the HP facilities to learn about the assignments of the interning students. Apart from that, Dr. Saltzer does not recall any relationships, affiliations, grants, or research funded by HP, Microsoft, or Intel. Please feel free to confirm any of this with him directly.

Ed

From: Tibor L. Nagy [mailto:tnagy@SusmanGodfrey.com]
Sent: Thursday, April 24, 2008 9:19 AM
To: Edward DeFranco
Cc: Rick Werder; Richard Erwine; Alexander Rudis; Steve Susman; Clement Roberts; Martin Powers
Subject: FW: Technical Advisor Candidates

Ed,

4/25/2008

Please let me have a response to the below. Also, I never heard back from you yesterday re Arvind. Please disclose any current or prior relationships (eg, consulting engagements, grants, funding, contacts, etc) Arvind has had with IBM. We would like to discuss this candidate, but we cannot do so until you make this disclosure.

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From: Tibor L. Nagy
Sent: Tuesday, April 22, 2008 9:09 PM
To: Edward DeFranco
Cc: Richard Erwine; Steve Susman; Clement Roberts; Rick Werder
Subject: RE: Technical Advisor Candidates

Ed,

We don't believe relationships with Intel, Microsoft or HP are relevant. That said, we are willing to provide you with whatever information we can obtain concerning Fisher's and Wakerly's relationships with those three companies if you will do the same for us with respect to Saltzer and Arvind. That is, in addition to sending me the previously-requested information about Arvind's contacts/relationships/history with IBM, you will now also send us information concerning Saltzer's and Arvind's contacts/relationships/history with Intel, Microsoft and HP. Please confirm that you will do this. Thanks

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From: Edward DeFranco [mailto:eddefranco@quinnemanuel.com]

4/25/2008

Sent: Tuesday, April 22, 2008 6:52 PM
To: Tibor L. Nagy; Clement Roberts
Cc: Richard Erwine
Subject: RE: Technical Advisor Candidates

Tibor - Apart from Fisher's employment by HP, please let us know whether Fisher or Wakerly have any other current or prior relationship with Intel, Microsoft, or HP. Thanks, Ed

From: Tibor L. Nagy [mailto:tnagy@susmanGodfrey.com]

Sent: Monday, April 21, 2008 4:27 PM

To: Adam Wolfson; Alexander Rudis; Andrew Curran; Brad Cohen; Brent B. Barriere; Bruce Gerstein; D. Skylar Rosenbloom; David Elsberg; David Patron; Edward DeFranco; Frederick Lorig; Harry M. Barton; Jonathan Scharf; Katherine Weall; Morris Waisbrot; Noah Silverman; Patricia Bostic; Peter Tsapatsaris; Philippe Selendy; Renee Bea; Richard Erwine; Rick Werder; Shahreen Mehjabeen; Thomas Pease; Todd Anten

Cc: Alisha R. Chandler; Clement Roberts; Gregory Handschuh; Helen Danielson; Jacob W. Buchdahl; Joe Gratz; Martin Powers; Ryan C. Kirkpatrick; Steve Morrissey; Steve Susman; Tibor L. Nagy

Subject: PSI: Technical Advisor Candidates

Enclosed are the resumes of PSI's proposed technical advisor candidates. We have contacted these individuals and confirmed that they are interested and have no conflicts.

We are not aware of any prior contacts, affiliations, grants, relationships, funded research or any other facts that would indicate any bias as between these candidates and PSI. Fisher's employment by HP, which you consider a source of bias (we disagree), was disclosed to you when we first disclosed Fisher several weeks ago.

Please disclose any relationships, affiliations, grants, prior contacts, funded research, or any facts of whatever kind you are aware of that might indicate any bias as between your proposed candidates and IBM. After we receive that disclosure from you, we propose having a call to discuss the possibility of agreement on one or more of the four candidates. We propose that that call take place no later than Thursday morning.

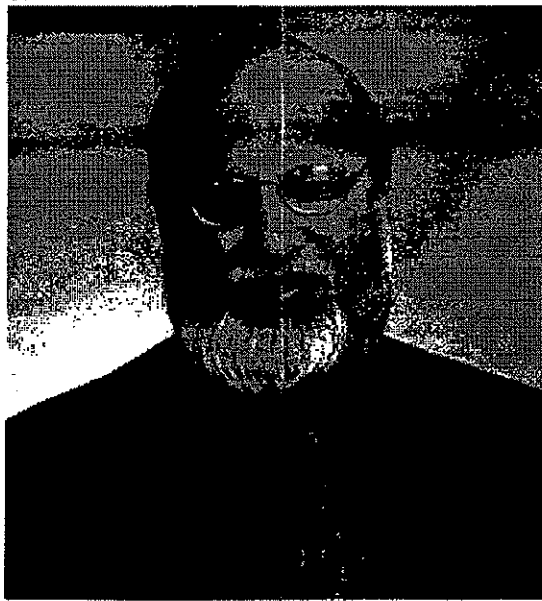
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EXHIBIT 10



Arvind

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[Token](#)

[June 6, 2005,](#)

[Madison, WI](#)

[ISCA 06 Paper](#)

[Memory Model =](#)

[Instruction Reordering](#)

Johnson Professor

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+ Store Atomicity
(Arvind, Jan-Willem
Maessen)

IITK Campaign

IEEE Article - 10/06

A Mobile Phone

Ecosystem: MIT and

Nokia's Joint

Research Venture

CSAIL

Computer Science and Artificial Intelligence Laboratory

Massachusetts Institute of Technology

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Cambridge, MA 02139

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Arvind

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Biography

Arvind is the Johnson Professor of Computer Science and Engineering at the Massachusetts Institute of Technology and a member of CSAIL (Computer Science and Artificial Intelligence Laboratory). From 1974 to 1978 prior to coming to MIT, he taught at the University of California, Irvine. Arvind received his M.S. and Ph.D. in Computer Science from the University of Minnesota in 1972 and 1973, respectively. He received his B. Tech. in Electrical Engineering from the Indian Institute of Technology, Kanpur, in 1969, and also taught there from 1977-78.

Arvind's current research interests are synthesis and verification of large digital systems described using Guarded Atomic Actions; and Memory Models and Cache Coherence Protocols for parallel architectures and languages.

In the past, Arvind's research interests have included all aspects of parallel computing and declarative programming languages. He has contributed to the development of dynamic dataflow architectures, the implicitly parallel programming languages Id and pH, and the compilation of these types of languages on parallel machines. Dr. R. S. Nikhil and Arvind published the book "Implicit parallel programming in pH" in 2001.

In 1992, Arvind's group, in collaboration with Motorola, completed the Monsoon dataflow machine and its associated software. A dozen of these machines were built and installed at Los Alamos National Labs and other universities, before Monsoon was retired to the Computer Museum in California.

In 2000, Arvind took a two-year leave of absence to start Sandburst, a fabless semiconductor company to produce a chip set for 10G-bit Ethernet routers. He served as its President until his return to MIT in September 2002. In 2003, Arvind co-founded Bluespec Inc, an EDA company to produce a set of tools for high-level synthesis. He currently serves on the board of both Sandburst and Bluespec.

Arvind has served on the editorial board of many journals including the Journal of Parallel and Distributed Computing, and the Journal of Functional Programming. He has chaired and served on the program committee of many meetings sponsored by ACM and IEEE. From 1986-92, he was the Chief Technical Advisor for the UN sponsored Knowledge Based Computer Systems project in India. During 1992-93

Arvind was Fujitsu Visiting Professor at the University of Tokyo. Arvind is the General Chair for ICS05 (International Conference on Supercomputing) which will be held in Cambridge, Massachusetts in June, 2005.

Recent and/or Significant Publications:

James Hoe and Arvind, "Operation-Centric Hardware Descriptions and Synthesis?", IEEE TCAD, September 2004

Hari Balakrishnan, Srinivas Devadas, Doug Ehlert and Arvind, "Rate Guarantees and Overload Protection in Input-Queued Switches?", IEEE Infocom, March 2004.

Dan Rosenband and Arvind, "Modular Scheduling of Guarded Atomic Actions?", DAC41, June 2004

Arvind, R.S. Nikhil, Daniel Rosenband and Nirav Dave, "High-level synthesis: An Essential Ingredient for Designing Complex ASICs?", ICCAD'04, NOVEMBER 2004

Awards

IEEE Charles Babbage Outstanding Scientist Award (1994).

IEEE ? Fellow(1994)

Distinguished Alumnus Award, I.I.T. Kanpur (1999)

Distinguished Alumnus Award, University of Minnesota (2001).

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EXHIBIT 11

Tibor L. Nagy

From: Edward DeFranco [eddefranco@quinnemanuel.com]
Sent: Thursday, April 24, 2008 1:31 PM
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